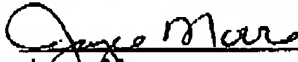


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Inventor(s): Foley, et al.

S.N.: 10/764,931

Filed: January 26, 2004

Docket No.: CM-2491D

Comments:

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Case CM-2491D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Peter Robert Foley, et al. :
Serial No. 10/764,931 : Group Art Unit 1751
Filed: January 26, 2004 : Examiner G. Delcotto
Confirmation No. 9645 :
For :
CLEANING COMPOSITION :

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Office Action mailed October 5, 2004.

I. Introduction.

Claims 1-6 are pending, and of these claims, Claim 1 has been withdrawn from consideration by the Examiner. Claims 2-6 were rejected under 35 U.S.C. Section 103(a).

II. The Restriction Requirement.

The Office Action restates the telephone restriction requirement.

The Applicants hereby reaffirm their election to prosecute the invention of Group II, Claims 2-6.

III. The 35 U.S.C. Section 103(a) Rejections.

Claims 2-6 were rejected under 35 U.S.C. Section 103(a) as purportedly being obvious over U.S. Patent 5,891,836, Karcher in view of U.S. Patent 6,372,703 issued to Richter, et al.

The Office Action states that it would have been obvious to one having ordinary skill in the art to use a cyclodextrin/perfume complex in the composition taught by Kacher, with a reasonable expectation of success, because Richter, et al. teach the use of

cyclodextrin/perfume complexes in a similar cleaning composition and, further, Kacher teaches the use of perfumes in general.


The Applicants respectfully request that this rejection be reconsidered and withdrawn. The Kacher reference is directed to a light duty liquid or gel dishwashing detergent composition in the form of oil-in-water or bicontinuous microemulsions. The Kacher microemulsion compositions comprise from about 50% to 75% of an aqueous liquid carrier. (Col. 2, lines 49-50). The Richter, et al. reference is directed to non-aqueous bleach-containing liquid detergents. A person of ordinary skill in the art would not combine the Kacher and Richter, et al. references because they are diametrically opposed types of compositions, and if they attempted to do so, there would be no reasonable expectation of success. Therefore, the combination of references is not proper under Section 103, and it is respectfully requested that this rejection be reconsidered and withdrawn.

IV. Summary.

The 35 U.S.C. Section 103 rejection has been addressed. In view of the foregoing, a Notice of Allowance is respectfully requested.

Respectfully submitted,
PETER ROBERT FOLEY, ET AL.

By


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January 5, 2005
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